

ing home from work or were unable to get home at all. The police protection was generally exerted in the direction of the B. R. T.

District-Attorney Clarke, of Brooklyn, has taken up the part of the people in the controversy between the Brooklyn Rapid Transit management and the Supreme Court, as represented by Justice Gaynor. The District-Attorney will obtain warrants against employees of the B. R. T., who assault passengers refusing to pay the extortionate second fare.

Mr. Clarke holds that the decision of Justice Gaynor establishes that the Brooklyn Heights Railroad Company (the corporate mask behind which the B. R. T. operates) has no right to charge more than five cents for a continuous ride over any of its lines—and this includes a ride taken with the aid of transfers. He holds further that any special policeman or regular policeman or any employee of the B. R. T., or any person who lays hands upon a passenger refusing to pay the second fare is liable to arrest for assault as well as to suit for damages in a civil action.

Mr. Clarke has assigned an assistant to hear complaints of persons who are assaulted or have been assaulted by B. R. T. employees for refusing to pay the second fare. This action was taken this afternoon after consultation with Borough President Coler and several eminent lawyers, all of whom were unanimous in declaring that Justice Gaynor's decision should, in law, have the effect of stopping the B. R. T. from trying to collect the illegal extra fare.

#### ACTING MAYOR TAKES A HAND.

Acting Mayor McGowan, Acting Corporation Counsel Connolly and Acting Police Commissioner Waldo met at the City Hall to-day and conferred about the B. R. T. situation. Apparently they got all twisted up, for instead of going into the heart of the matter as the District-Attorney of Brooklyn did they quibbled and skimmed. Acting Mayor McGowan gave out a statement after the conference in which he maintained:

That if Justice Gaynor is right the legal fare to Coney Island is five cents.

That if Justice Gaynor is wrong the legal fare to Coney Island is 10 cents.

That the police should see that there is no brutality.

"The people seem to be in pretty bad," remarked a reporter when Acting Mayor McGowan had given his "Mr. Doodle" slying up of the situation.

"They certainly do," responded the Acting Mayor.

#### STATEMENT BY THE B. R. T.

The legal department of the B. R. T. gave out a statement almost as long as the original Brooklyn Heights Railroad this afternoon. It was prepared by ex-Justice of the Supreme Court Hatch and is much more complicated than the straightforward, common sense decision of Justice Gaynor, which covers the whole ground of the rights of public service corporations in a few hundred words. Here are two passages from the company's side of the controversy:

"The railroad was not a party to the MacFarland case, had no opportunity to present in the return to the writ the facts which establish its right to a ten-cent fare, and cannot review by appeal the opinion of Justice Gaynor.

"Assuming, however, that the question had been before Mr. Justice Gaynor, and that he was authorized by the facts to entertain and pass upon the question, we think his decision is not sound in law nor in accord with authoritative decisions upon this subject."

When informed to-day of the lawless brutality with which the special policemen of the B. R. T. handled passengers who refused to pay the illegal extra fare to Coney Island yesterday, Acting Commissioner of Police Waldo revoked the permits of all the men endowed with police powers in the employ of the B. R. T. system. The order goes into effect at 6 o'clock this evening and involves something over 280 men. About seventy-five of these are in uniform similar to the uniform worn by members of the Police Department.

"There will be no more slugging of passengers," said the Acting Commissioner. "We were caught unawares yesterday and did the best we could in the absence of definite legal advice. I called Deputy Commissioner O'Keefe up on the telephone when I reached my office, and from what he told me of the treatment accorded passengers by the B. R. T.'s special officers yesterday I am convinced that these men are not fit to exercise any part of the powers of a policeman.

#### PROMISES AMPLE PROTECTION.

"If necessary the entire machinery of the Police Department will be used to force corporations to keep within the limits of the law. There will be ample police protection against disorder to-day and hereafter at all points where there have been disturbances. Complaints of brutal treatment will be entertained and acted upon."

This move of the Acting Commissioner is a body blow to the B. R. T. Its paid thugs have been acting under the authority of permits issued from Police Headquarters. Without these permits the cowardly slugs will not dare to take chances with citizens, and with the assurance of the Acting Commissioner that the police are on the side of the people and not on the side of the B. R. T., as they appeared to be yesterday, the situation takes on a new aspect.

Deputy Commissioner O'Keefe, acting under orders from Mulberry street, has arranged to place a policeman on every train and car entering or leaving Coney Island to protect passengers from assault. He says that he will use every policeman in the Borough of Brooklyn if necessary to enforce the law, and has been authorized to draft men from other boroughs.

If the B. R. T. wants to employ special officers it will have to submit a new list of names to the police authorities. These names will be investigated and thugs and plug-uglies will be barred from the service of the corporation as special officers hereafter.

Instead of protecting the people, who pay their salaries, the police at points where rioting marked the attempt of the B. R. T. to steal the people's nickels yesterday openly sided with the railroad. When the case of Dow F. Smith, general superintendent of the B. R. T., who was arrested yesterday by order of Deputy Commissioner O'Keefe for obstructing traffic, was called in the Flatbush Police Court to-day neither Deputy Commissioner O'Keefe, Inspector Grant, nor any lawyer representing them was on hand to prosecute.

The proceedings were farcical. Police-mat O'Farrell, a patrolman, who made the arrest at the order of his superiors, represented the majesty of the law and the Police Department. All he knew was that Deputy Commissioner O'Keefe had told him that traffic was obstructed.

#### Smith's Technical Defense.

Mr. Smith was represented by a lawyer, of course. The lawyer maintained that inasmuch as there were no warrants obstructed by the crowd of cars, held up in order to allow the collection of an extra fare, there could have been no obstruction of traffic. Of course the people who had paid their extra fare and were compelled to walk to Coney Island did not count; neither did the fact that the B. R. T. has a thoroughly equipped car over that there is no room on them for women. "It seems," said Magistrate Voorhees, "that a mass of obstruction of traffic has not been made out. The charge should have been referring to ferry passengers to their destinations."

There was no one on hand to make such a charge. The lawyer asked for Mr. Smith's discharge and his request was granted. The case of Ezra Davis, chief inspector, was postponed until to-

## Supt. Smith, Director of the B. R. T. Forces; Deputy O'Keefe, Who Heads Brooklyn Police.



ARTHUR J. O'KEEFE

to make arrests for assaults committed by the B. R. T. employees before they were. Young Mr. Waldo was told about this to-day and exhibited comprehensive knowledge of police affairs by proclaiming that when a policeman sees a citizen assaulted he can use his own discretion about making an arrest.

#### Army of "Special" Thugs.

Thugs and bullies have been employed by the B. R. T. to assault passengers who refuse to be robbed. Every train and car running to Coney Island to-day had at least one man on board with instructions to throw off any passenger who would not pay an extra fare. Members of the office force, the advertising department and other departments were forced into service as assault slugs. The uniform and helmet worn by the B. R. T. special policemen is identical with that worn by the city policemen, save for the distinctive shields, and these are omitted. Young Mr. Waldo was asked to-day what had become of the order of Commissioner Bingham that special policemen must not wear blue uniforms and police helmets. He said that the order goes into effect Nov. 1.

Lawyer Stephen C. Baldwin, whose invaluable services for The Evening World's Five-Cent League established the status of the B. R. T. in connection with the ten-cent fare outrage, announced that he will take free of charge the cases of all persons who were assaulted yesterday by B. R. T. employees. In the light of Justice Gaynor's decision that to refuse to be robbed of the extra fare is not a breach of the peace, every person who was ill-treated has a good cause for damages.

Trouble started shortly before yesterday noon at Neck Avenue and Gravesend road, where the B. R. T. cars began to assault and steal passengers who refused to pay a second fare. The result was a blockade that tied up traffic so badly that cars leaving Brooklyn Bridge at 3 o'clock did not reach Coney Island until 7 P. M. This state of affairs continued throughout the night. Return traffic was in worse state until Assistant Commissioner of Police O'Keefe, realizing that the \$6000 on the island would have to be gotten home, decided the situation constituted a public emergency and looked on the cars being run through, whether the company got its second fare or not.

#### Company Paid Fares.

Finally the company's hired thugs became exhausted, and when there was a solid block from Kensington back to Coney Island, with ten thousand or more passengers asleep in the cars and determined to sleep it out, Road-Supt. 14 Citizens Still Hold The Fort in a Coney Car.

Fighting all night for their rights by quietly refusing to pay more than the legal rate of five cents, fourteen citizens of New York are still holding the fort in a Northend avenue car anchored by the company at the Coney Island terminal.

When the car left the terminal for New York last midnight there were twenty in the party under the leadership of D. D. Beale. At Avenue P the customary demand was made for the second fare, which was refused. Threats were made by the hired thugs, but no

account of the numbers of the protesters they did not dare start a fight.

Accordingly the car was side-tracked at the Kensington station and wheeled back to Coney Island, where they still held fast to their seats. Six of the party were compelled to come to the car on foot, but the rest remained steadfast, refusing out for their breakfast and cheered by a crowd of Coney Islanders who have surrounded the besieged.

Another band of six passengers are reported to be still holding the fort in a Red Avenue car at the Coney Island terminal.

"We have determined what course to pursue," said Mr. Baldwin over the long distance telephone, "but it would not be well to furnish the enemy with ammunition. This is the fight of my life, and I am in it to stay. The Evening World is to be congratulated."

Long before office hours there was a crowd of citizens at Mr. Baldwin's office, and all morning telephone calls were being received by the registry. The same activity was evident at the office of Borough President Coler, in Flatbush, and directly under the chair of the Appellate Division of the Supreme Court from which Justice Gaynor delivered his decision to the pocket-picking B. R. T. corporation.

## "THE FIGHT OF MY LIFE," SAYS LAWYER BALDWIN.

Stephen C. Baldwin, the Brooklyn lawyer, who is directing the legal fight against the B. R. T. is on his way to the city from his summer home at Shelter Island Heights, L. I. Over the long distance telephone, before he started, he dictated his legal associates to take up the grievances of the persecuted citizens at his office, No. 126 Manhattan street.

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## HISTORY OF CRUSADE BY EVENING WORLD FOR FIVE-CENT FARE.

Fight Against B. R. T. Extortion in Rate to Coney Was Begun on June 9 and Met with People's Instantaneous Support.

Here is the story of the fight The Evening World has made in behalf of the public against the double-fare outrage of the Brooklyn Rapid Transit Company:

June 9—The fight for a "five-cent fare from the city to the sea" begun in The Evening World with the organization of the Five-Cent Fare League, endorsed by Frederick B. De Bernard, of the Merchants' Association; A. A. Hill, of the Metropolitan Parks Association; William H. Allen, James H. Hamilton and other representatives of Manhattan organizations concerned in civic righteousness.

June 10—Central Federated Union, with a membership of 20,000, passes a resolution in support of the five-cent fare fight.

June 11—Charles F. Storey, of the East Side Civic Club, and Miss Lillian Wald raise their voices for a five-cent fare to the sea.

#### Coler Takes a Hand.

June 12—Borough President Bird S. Coler, of Brooklyn, lines up with the people against the roller rink.

June 13—Borough President Bird S. Coler, of Brooklyn, lines up with the people against the roller rink.

June 14—George C. Tillyou and Coney Island amusement kings endorse The Evening World's fight for a five-cent fare. Charter violations clearly pointed out.

June 15—An object diagram presented showing that the Brooklyn Rapid Transit Company is charging one-cent a mile to Coney Island, against a one-cent of a cent a mile, the charge of the Interborough in Manhattan and the Bronx.

June 16—Former Senator William H. Reynolds, of Coney Island, warns the B. R. T. against further defiance of the public.

June 17—Brooklyn ministers attack B. R. T. methods from the pulpit.

June 18—Taxpayers of Ridgewood district hold mass-meeting and pass resolutions joining the Five-Cent Fare League.

June 19—Heads of Brooklyn civic organizations urge B. R. T. and link the fight for instant reform with The Evening World.

June 20—Five-Cent Fare problem presented to State Railroad Commission informally by Borough President Coler, who names Lawyer Stephen C. Baldwin as spokesman and the people's champion.

June 21—Third fare graft on Coney Island exposed by disinterested employees exposed in The Evening World.

June 22—Five-cent fare fight officially recognized by the Board of Estimate and Apportionment, which passes a resolution in favor of the five-cent fare.

June 23—Bird S. Coler writes to the State Railroad Commission: "As President of the Borough of Brooklyn I would request—on behalf of—certain citizens who have engaged counsel to present the facts before you, that a hearing be granted on the practice of the Brooklyn Rapid Transit Company in charging a double fare for continuous ride within the city of New York, particularly to Coney Island."

June 24—Police found to be in conspiracy with the Brooklyn Rapid Transit Company at Kings Highway, aiding the latter in the collection of the illegal second fare.

June 25—Exposure of a lease of trolley lines for terms in excess of their corporate life—an instance, the Prospect Park and Coney Island Railroad, leased to the Brooklyn Heights Railroad for 99 years, or 99 years more than its corporate life of 100 years.

June 26—Comptroller Meis strikes at the Brooklyn Rapid Transit Company through The Evening World, and officially indorses the five-cent fare fight.

June 27—Members of the Coney Island Board of Trade, in number, give the B. R. T. a lesson in the history of the Brooklyn Rapid Transit Company, which that they favored a ten-cent fare.

June 28—Borough President Coler again urges the State Railroad Commission to set a date for hearing on The Evening World's five-cent fare fight.

July 1—The State Railroad Commission, at Albany, resists the pressure brought to bear by the Brooklyn Rapid Transit Company's agents, formally

agrees to withdraw the police.

July 2—Exposure of a lease of trolley lines for terms in excess of their corporate life—an instance, the Prospect Park and Coney Island Railroad, leased to the Brooklyn Heights Railroad for 99 years, or 99 years more than its corporate life of 100 years.

July 3—Borough President Coler again urges the State Railroad Commission to set a date for hearing on The Evening World's five-cent fare fight.

July 4—The State Railroad Commission, at Albany, resists the pressure brought to bear by the Brooklyn Rapid Transit Company's agents, formally

agrees to withdraw the police.

July 5—Borough President Coler again urges the State Railroad Commission to set a date for hearing on The Evening World's five-cent fare fight.

July 6—The State Railroad Commission, at Albany, resists the pressure brought to bear by the Brooklyn Rapid Transit Company's agents, formally

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July 7—Borough President Coler again urges the State Railroad Commission to set a date for hearing on The Evening World's five-cent fare fight.

July 8—The State Railroad Commission, at Albany, resists the pressure brought to bear by the Brooklyn Rapid Transit Company's agents, formally

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July 9—Borough President Coler again urges the State Railroad Commission to set a date for hearing on The Evening World's five-cent fare fight.

July 10—The State Railroad Commission, at Albany, resists the pressure brought to bear by the Brooklyn Rapid Transit Company's agents, formally

agrees to withdraw the police.

#### How Good Food may Turn to Poison.

FOOD is not digestion, you know, even when it takes place in the stomach.

Food decayed in the body after being eaten is as dangerous to health as food decayed before being eaten.

Food nourishes or poisons, just according to how long it remains in the bowels undigested.

Most of the Digestion occurs in the thirty feet of Intestine.

They are lined with a set of little mouths, that secrete Digestive Juices into the Food eaten.

The Intestines are also lined with millions of little suction pumps, that draw the Nutrient from Food, as it passes them in going through.

But, when the Bowel-Muscles are weak, the Food moves too slowly to stimulate the little Gastro Mouths and there is no flow or too little flow of Digestive Juices, to charge the food into nourishment.

Then, the food decays in the Bowels, and the little suction pumps draw Poisons from the decayed Food, into the blood, instead of the Nutrients they should have drawn.

Now, "saccharin" contains the only combination of drugs that stimulates these Muscles of the Bowels and Intestines just as a Cold Bath, or open-air Exercise, stimulates a Lazy Man.

Cacarets therefore act like Exercises. They produce the same sort of Natural result that a Six Mile walk in the country would produce without any injurious Chemical effect.

The Vest Pocket Cacaret Box is sold by all Druggists at Ten Cents.

Be sure you get the genuine, made only by the Sterling Remedy Company, and never sold in bulk. Every tablet stamped "CCC."

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## EVENING WORLD'S FIGHT IS WON, DECLARES COLER.

"The Evening World's fight for a five-cent fare from the city to the sea has been won. The disgraceful action of the B. R. T. officials and hired thugs yesterday was in the nature of a dying snarl and within a very short time the Court of Appeals will decide that the road will lose its franchise if it insists on trying to extort ten cents."

In these few words Bird S. Coler, President of the Borough of Brooklyn, summed up the situation to-day. As vehement as was Mr. Coler in his denunciation of the penurious lines running to Coney Island, equally as sincere was he in extolling The Evening World for its grand victory.

"The B. R. T.," he continued, "can do nothing but succumb. If it does not care to accept the opinion of Justice Gaynor, which will be upheld by the State's highest tribunal, we will go so far as to carry the matter to the Court of Appeals and let a decision be handed down once and for all. The road can not appeal, but so confident am I that the ruling will be with us I am willing to take the matter there for them."

#### Sustained at Every Point.

"We have been sustained in every argument we ever brought against the thieving road. Why the Barnett decision which the officials speak of was the worst imposition ever heaped upon an innocent public. The case—and I mean both for plaintiff and defendant—was prepared by the B. R. T. Its lawyers argued for both sides and Barnett simply pronounced the result."

"The road," Mr. Coler went on, "made a great mistake in not obeying the order of Justice Gaynor for at least a day. But it knows it has no ground on which to stand and will continue to do as it has in the past—everything against law, order, and decency. I was on a car—not with my wife, as has been reported—and witnessed two distinct cases of assault. I got the name of the guilty one and Stephen C. Baldwin, who has represented me in this matter will proceed against the officials at once."

"I have written a letter to the Mayor asking him to call a meeting of the Board of Aldermen and pass an ordinance to prohibit these hired thugs from wearing police uniforms. The public classes them with the regular police and when a citizen is brutally assaulted he is usually afraid to defend himself. The Sheriff should have arrested every B. R. T. policeman in the city yesterday. Each one of them violated the law and heaped indignities upon those who attempted to act within their rights."

"I would advise that in future every body refuse assembly to pay more than five cents. If the passenger is ordered off the car let him or her keep his or her seat until thrown off by the conductor or the hired thug. This not only constitutes an assault, but makes a plain case for damages against the officials of the road. Those men are as bad as the counterfeit policemen who day. They are so well brought up in Brooklyn that they do not dare walk the streets without a body guard."

"They have absolutely no interest in the city's welfare; they are not paid in business to dishonestly receive illegal fares from a long-suffering public. I shall have them immediately arrested and we will immediately sue my office about to have the matter brought before the highest court at once."

"The road must come to terms or Brooklyn will build its own street railways."

Continuing, Mr. Coler said that legally the B. R. T. had no right to operate a single line in Brooklyn.

"Their charter is for steam cars and lot for the trolley. If they ever let the matter get to the Court of Appeals they will most likely lose their franchise."

Borough President asked the Corporation Counsel today to instruct the union the B. R. T. had got against him to keep him from tearing up certain tracks.

"They have no right to these tracks," he said, "and I am going to proceed immediately to rip them out."

Mr. Coler said he was not put off by Mr. Coler yesterday, as was reported. He rode to the island in a baggy.

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FACE Wrinkles make a perfect mask. They disguise the contour of the Face, and hide whatever Facial Attractiveness one may have. Let the Mask be removed and a Wonderful Change is seen.

Our new method for restoring Youthfulness to the Face removes the Wrinkles by nourishing and building up the under tissue, thus making the skin firm and smooth.

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A gentle non-griping purgative. Jayne's Sanative Pills.

LAUNDRY WANTS—MALE. HONORABLE for white stock shirts, at once. Manufacture. Steam Laundry Co., Room, 100 Broadway, New York.

LAUNDRY WANTS—FEMALE. LAUNDRY HELP wanted. Mutual Steam Laundry, 527 West 24th St.

WOMEN (HOUSEWIVES) also shirt makers. 100 Broadway, New York.